

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage paid, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: November 16, 2007

Name: Mark V. Richards (37,921)

Signature: *Mark V. Richards*

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& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: August J. Borschke et al. ☐

Appln. No.: 10/675,577

Filed: September 30, 2003

For: Smokable Rod for a Cigarette

Docket No.: 11867/23

Examiner: Cordray, Dennis R.

Art Unit: 1731

Conf. No.: 9986

TRANSMITTAL

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

- ☒ Third Supplemental Information Disclosure Statement; Form PTO-1449; and Cited Reference(s)
☒ Return Receipt Postcard.

Fee Calculation:

- ☐ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 CFR § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	OR	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 105=			x \$210=	
First Presentation of Multiple Dep. Claim					+\$185=			+\$370=	
					Total	\$		Total	\$

Fee Payment:

- ☐ A check in the amount of \$_____ is enclosed.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ Please charge Deposit Account No. 23-1925 in the amount of \$180.00 for the Third Supplemental Information Disclosure Statement.
A copy of this Transmittal is enclosed for this purpose.
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

Mark V. Richards

Marc V. Richards (Reg. No. 37,921)

November 16, 2007

Date

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I hereby certify that this correspondence is being
Sent by First Class Mail noted below to:



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
November 16, 2007

Date of Deposit
Marc V. Richards

Name of applicant, assignee or
Registered Representative

Marc V. Richards
Signature

November 16, 2007

Date of Signature

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Attorney Docket No: 11867/23

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Art Unit: 1731

Confirmation No. 9964

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The PTO did not receive the following
listed item(s) A Check For \$180.00

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicant hereby cites the following reference(s):

U.S. PATENT DOCUMENTS		
DOCUMENT NUMBER	DATE	NAME
2005/0066985	03/31/2005	Borschke, August J. et al.
2005/0066986	03/31/2005	Nestor, Timothy B. et al.

11/20/2007 EHAILE1 00000004 231925 10675577

01 FC:1806

180.00 DA

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FOREIGN PATENT DOCUMENTS		
DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
EP 1 670 326 B1	02/21/2007	Europe

OTHER ART – NON PATENT LITERATURE DOCUMENTS
Office Action of U.S. Application No. 10/674,909, Filed 09/03/2003, Nestor et al., Dated 10/09/07

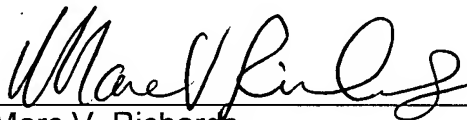
Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated a processing fee in the amount of \$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Information Disclosure Statement. Applicant has enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

November 16, 2007
Date



Marc V. Richards
(Reg. No. 37,921)